IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY NINTH DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 25404 of 2005

Between:

Challa Satyanarayana

..... PETITIONER

AND

The Deputy Superintendent of Police,

Ramachandrapuram-533 255,

E.G.District and 3 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the respondents 1 to 3 in harassing the petitioner and pressurizing him to vacate the premises bearing Door No.6-28 & 6-28A situated in Alamuru village and Mandal, East Godavari District, which was leased out through a registered lease deed to the petitioner, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

The petitioner submits that he has taken the premises bearing House No.6-28 and 6-28A, situated on the main road of Alamuru, on lease from one Vankayala Pullayya, vide registered lease agreement, registered as a document No.2494/2005, dated 09.11.2005. The lease is for a period of five years i.e. from 09.11.2005 to 08.11.2010. It is stated that while so, the 4th respondent, who claims to be a sharer along with lessor of the petitioner, is influencing the police to settle the civil disputes and to vacate the petitioner from the property in question. If the 4th respondent has got right and title over the property in question, it is for him to take appropriate legal action, as the petitioner is alleged to be in legal possession pursuant to the lease agreement dated 09.11.2005. But without there being any report/complaint against the petitioner, the police cannot interfere with the civil disputes.

Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition, with a direction to the respondents 1 to 3 not to interfere with the civil disputes over the property in question and not to interfere with the personal life and liberty of the petitioner. However, it is left open for the police to register a case and investigate into, if there is any report/complaint filed against the petitioner either by the 4th respondent or by anybody, and if the contents of the complaint made out prima facie cognizable offence.

With the above observations, the Writ Petition is disposed of. No order as to costs.

V.ESWARAIAH,J

Dated: 29.11.2005

Dsr

Note:

Issue CC in two days

B/o

Dsr